

## REMARKS

This is a response to the Office action dated October 19, 2005. Applicant amends claims 1, 12 and 13. Claims 1-19 are presented for examination. Applicant requests reexamination and reconsideration of application.

In paragraph nos. 1-2 of the Office action, the Examiner rejects claims 1, 3-4 and 11 under 35 USC 102(b) as being anticipated by US Patent No. 5,828,750 to Perala (Perala).

Perala cannot anticipate amended claim 1 because it fails to disclose a secured wireless handset including a first attachment that prevents removal of the wireless handset from the cradle without use of a tool. Perala's locking hooks 11 releasably secure the mobile phone so the user can freely remove the mobile phone 1 from the holding rack 3 by pressing release buttons 12 (Figs. 2-4, col. 3, lines 13-19).

The invention has no release buttons. Instead, it permanently secures the wireless handset to the cradle. To remove the wireless handset from the cradle the invention requires use of a tool. Perala never suggests this trade-off of giving up mobility to prevent unauthorized removal and promote hands-free communication. Amended claim 1 and its dependent claims 3-4 and 11 are allowable.

In paragraph nos. 3-4 of the Office action, the Examiner rejects claims 2 and 9-10 under 35 USC 103(a) as being unpatentable over Perala in view of US Patent No. 6,659,382 B2 to Ryczek (Ryczek).

Perala and Ryczek fail to describe claims 2 and 9-10. Ryczek describes a security device for displaying a hand-held item (e.g., a phone) at a retailer. Ryczek allows a customer to remove the hand-held item retractably resting on a housing to assure the customer the item is comfortable in their hand. To permanently secure the hand-held item (i.e., attach it to the housing) destroys Ryczek's purpose. Ryczek has no use for a first attachment that prevents removal without use of a tool. Since combining Ryczek and Perala destroys Ryczek's function, there is no motivation to combine. Claims 2 and 9-10 are allowable over Perala and Ryczek.

1 In paragraph no. 5 of the Office action, the Examiner rejects claim 8 under 35 USC  
2 103(a) as unpatentable over Peralá, Ryczek and US Published Patent Application No.  
3 2003/0152442 A1 to Curley et al. (Curley).

4 Peralá, Ryczek and Curley fail to teach claim 8. Combining Curley's long barrel T-nut  
5 fastener with Peralá would destroy Peralá's function of permitting the phone to be freely  
6 removed by pressing release buttons. Combining Curley's long barrel T-nut fastener  
7 with Ryczek would destroy Ryczek's function of permitting easy removal of a hand-held  
8 item from a display so the customer is assured the item is comfortable to hold. Because  
9 combining Peralá, Ryczek and Curley destroy these functions, they do not make  
10 obvious claim 8. Dependent claim 8 is allowable over Peralá, Ryczek and Curley.

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12 In paragraph no. 6 of the Office action, the Examiner rejects claims 5 and 7 under 35  
13 USC 103(a) over Peralá and Curley.

14 It is submitted that claims 5 and 7 are allowable over Peralá and Curley for reasons  
15 similar to those presented in connection with claim 8.

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17 In paragraph no. 7 of the Office action, the Examiner rejects claim 6 under 35 USC  
18 103(a) as unpatentable over Peralá, Curley and US Patent No. 6,397,046 B1 to Kfoury  
19 (Kfoury).

20 Peralá, Curley and Kfoury fail to suggest claim 6. Figure 1 of Kfoury shows a cradle 200  
21 having retainers 282 and 284 that freely release the radiotelephone from the cradle  
22 whenever desired (col. 2, lines 27-33). Kfoury never suggests a first attachment  
23 preventing removal of the wireless handset from the cradle without use of a tool as  
24 recited in claim 6. Claim 6 is allowable for reasons similar to those presented in  
25 connection with claim 8.

26  
27 In paragraph no. 8 of the Office action, the Examiner rejects claim 12 under 35 USC  
28 103(a) as unpatentable over Peralá and US Patent No. 6,636,749 B2 to Holmes et al.  
29 (Holmes).  
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1 Claim 12 depends from amended claim 1 and is allowable based on the reasons  
2 presented in connection with amended claim 1. Holmes adds nothing to Peralá because  
3 it also fails to show a wireless handset secured to a cradle.

4 In paragraph no. 9 of the Office action, the Examiner rejects claims 13 and 17-19 under  
5 35 USC 103(a) as being unpatentable over Peralá in view of US Patent No. 6,269,258  
6 B1 to Peiker (Peiker).  
7

8 Peralá and Peiker fail to suggest amended claim 13. Peiker describes a hand-held  
9 receiver 3 that is readily removed from an insert part 1 (col. 3, lines 52-54). Peralá and  
10 Peiker make no suggestion of securing a wireless handset to a cradle through a first  
11 attachment so that the wireless handset is not freely removable from the cradle without  
12 using a tool to disassemble the first attachment between the wireless handset and the  
13 cradle as recited in amended claim 13. Claim 13 and 17-19 are allowable.

14 In paragraph no. 10 of the Office action, the Examiner rejects claim 14-16 under 35  
15 USC 103(a) as being unpatentable over Peralá, Peiker and Curley.

16 Claims 14-16 are allowable for the reasons presented in connection with claim 13.  
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18 Please call to arrange an interview to discuss this amendment or if you have any  
19 question, comment or it will expedite prosecution.

20 Respectfully Submitted,  
21

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